IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION NO.1885 OF 2004

Sunil Bhiku Sathe : Applicant.

versus.

The State of Maharashtra : Respondent.

Mr.R.S.Kate for the applicant.

Mr.A.M.Shringarpure, APP, for the State.

CORAM : D.G.DESHPANDE,J.

DATED : 13th August 2004.

P.C.

1. This is a regular bail application assigned to me. The accused and his father and mother are facing trial for the offences under Sections 498-A, 306 read with 34 of the Indian Penal Code. Both the parents of the applicant have been granted bail by the trial Court and, his bail application was rejected by Additional Sessions Judge, Pandharpur by his order dated

15.12.2003. The accused was married to deceased Ujwalla about one and half year before her death. She died due to burning. According to the prosecution at the relevant time she was cooking the food in the hut for the grand mother of the accused and hut caught fired. Mr.Kate, appearing for the applicant, was asked to show the panchanama of scene of offence. Accordingly he tendered the copy of the panchanama dated 29/10/2003. Nothing is shown in the panchanama about use of any kerosene or use of any stove. The hut along with the domestic articles were reduced to ashes. Mr.Kate for the applicant also stated that the investigation is over and the charge sheet is filed. In these circumstances, even though, there are allegations of the parents of victim about the demand of dowry, the applicant is entitled for bail. Hence, the application is allowed. The applicant/accused be released on his P.R. bond of Rs.7,000/- with one solvent surety in the like amount.

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